IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

-

WRIT PETITION NO : 1141 of 2005

Between:

1. B. Hanuma Bhoopal Reddy S/o Muni Reddy
   R/o 5-3-541, Osmangunj, Hyderabad
2. B. Vijaya Bhasker Reddy S/o Muni Reddy
   R/o 5-3-1055,Shankerbagh, Hyderabad
3. G. Venugopal S/o G. Brahmaiah
   R/o 5-802, Osmangunj, Hyderabad
4. M. Rami Reddy S/o Nagi Reddy
   R/o 5-3-592, Osmangunj, Hyderabad

..... PETITIONERS

AND

Muncipal Corporation of Hyderabad, rep

by Commissioner, Hyderabad

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction more so a writ in the nature of mandamus by directing the respondent authorities to take action basing on the complaint for removal of unauthorised and illegal constructions on the premises bearing No. 5-3-1054, situated at Osmangunj, Hyderabad.

Counsel for the Petitioner: MR.G.VASANTHA RAYUDU

Counsel for the Respondent: MR.RAMA RAO GHANTA

The Court made the following:

ORDER:

This writ petition is filed by the petitioners, who are four in number, with a prayer to issue a writ, order or direction more so a writ in the nature of mandamus by directing the respondent authorities to take action basing on the complaint for removal of unauthorized and illegal constructions on the premises bearing No.5-3-1054, situated at Osmangunj, Hyderabad.

The first petitioner has given sworn affidavit in support of the writ petition. It is stated in the affidavit that the first petitioner is resident of H.No.5-3-541, Osmangunj, Hyderabad and that unauthorized constructions have been coming up on the western side of the premises. Since the respondent-municipality has not taken any action on the complaint submitted by the petitioners, it necessitated the petitioners to approach this Court with the prayer stated above.

Heard learned counsel for the petitioners and standing counsel appearing for the respondent-Municipal Corporation.

A complaint submitted by the petitioners to the respondent-corporation has been placed on record and it is dated 07.01.2005. The petitioner stated in the complaint that owner of the premises bearing No.5-3-1054 has encroached on the public road. Such is the situation, it is the statutory duty on the part of the respondent-corporation to take necessary action. The writ petition is disposed of directing the respondent to consider the complaint filed by the petitioners with regard to the unauthorized constructions of the owner of the premises bearing No.5-3-1054, Osmangunj, Hyderabad and pass appropriate order within two months from the date of receipt of a copy of this order.

The writ petition is disposed of with the above direction. No order as to costs.

17-06-2005

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To

1. The Commissioner, Municipal Corporation of Hyderabad,

Hyderabad

2. 2 CD copies.